

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

KIDANEMARIAM KASSA,)	
)	
Plaintiff,)	
)	
v.)	CIVIL RIGHTS COMPLAINT
)	42 U.S.C. § 1983
)	
FULTON COUNTY, GEORGIA,)	CIVIL ACTION NO.
PAUL H. HOWARD, officially &)	1:17-CV-02068-AT
individually, ANTIONETTE)	
STEPHENSON, individually,)	
PIERRE EASLEY, individually, and)	
JOHN DOE, officially & individually,)	
)	
Defendants.)	
_____)	

JOINT MOTION TO EXTEND RULE 26 DEADLINES

COME NOW Plaintiff Kidanemariam Kassa and Defendant Pierre Easley (collectively, “Parties”), by and through their respective undersigned counsel, and file this Joint Motion to Extend the Rule 26 Deadlines for the Early Planning Conference and filing of the Joint Preliminary Report and Discovery Plan and Initial Disclosures as required by this Court, and in support thereof, show the Court as follows:

I. Procedural History

Plaintiff filed this action on June 6, 2017 [Doc. 1]. Plaintiff has amended his Complaint once [Doc. 18] and moved this Court to file a Second Amended Complaint on October 26, 2018 [Doc. 35], although to date, this Court has not ruled on Plaintiff's motion.¹ Then named Defendants Fulton County, Georgia, Paul H. Howard, Jr., Antionette Stephenson, Pierre Easley and certain unnamed John Doe Defendants filed numerous Motions to Dismiss for Plaintiff's failure to state a claim upon which relief can be granted [Docs. 12, 13, 14, 15, 27], to which Plaintiff responded [Docs. 24, 25, 26, 29, 31]. Additionally, this Court ordered supplemental briefing [Doc. 33] of both the Motion to Dismiss and Plaintiff's response, to which the Parties complied [Docs. 34, 35]. On February 4, 2019, with this Court's ruling on Defendants' October 30, 2017 Motion to Dismiss [Doc. 37], all Defendants were dismissed from this action except for Mr. Easley. Mr. Easley filed his Answer to Plaintiff's First Amended Complaint on February 14, 2019 [Doc. 38].

¹ It appears that the need for Plaintiff's Second Amended Complaint is now moot with the recent issuance of the Court's order [Doc. 37] on Defendants' Motion to Dismiss [Doc. 27].

II. Request for Extension

The Parties seek an Order from the Court to extend the requirements of Rule 26 of the Federal Rule of Civil Procedure and Local Rule 16.1, which require that the Early Planning Conference be held within sixteen (16) days after the appearance of a defendant by answer or motion. The Parties also request that the Order extend the Rule 26 requirements, and those found in Local Rules 16.2 and 26.1, for filing the Joint Preliminary Report and Discovery Plan and Initial Disclosures. Said rules require that the report and discovery plan and the initial disclosures be filed within thirty (30) days after the appearance of the first defendant by answer or motion or within thirty (30) days after a removed case is filed in this Court. The Parties respectfully request that the Court extend all of the above deadlines to thirty (30) days after the date of this Court's entry of an order on this motion.

The Parties request these extensions due to the numerous motions which prevented counsel from meeting early in the litigation; unintentional inadvertence regarding the filing of the Initial Disclosures; undersigned counsels' respective professional scheduling conflicts, and Plaintiff's illness abroad, which, to date, has left him unable to confer with his counsel. At present, the Parties have not discussed the potential for resolving this matter but intend to do so during the Early

Planning Conference. The Parties agree that no prejudice will inure, since the Motion to Dismiss was only recently ruled upon by the Court. Further, this request is to afford the Parties the sufficient opportunity to prepare for and conduct the Early Planning Conference, which, heretofore, the Parties have not had, as well as prepare the requisite Joint Preliminary Report and Discovery Plan and Initial Disclosures.

III. Conclusion

Based on the foregoing, the Parties request an extension of the Rule 26 deadlines and respectfully request that this Court grant this instant motion and enter an Order extending the time for the Parties to conduct the Early Planning Conference and file the Joint Preliminary Report and Discovery Plan and Initial Disclosures.

Respectfully submitted, this 20th day of March, 2019.

OFFICE OF THE FULTON COUNTY ATTORNEY

Patrise Perkins-Hooker
COUNTY ATTORNEY
Georgia Bar No. 572358

Kaye Woodard Burwell
Deputy County Attorney
Georgia Bar No. 775060

/s/ Ashley J. Palmer

Ashley J. Palmer
Senior Assistant County Attorney
Georgia Bar No. 603514
ashley.palmer@fultoncountyga.gov

141 Pryor Street, S.W.
Suite 4038
Atlanta, Georgia 30303
(404) 612-0246 (Office)
(404) 730-6324 (Facsimile)

/S/TIFFANY WILLIAMS ROBERTS

Tiffany Williams Roberts

Bar No. 791208
235 Peachtree Street, Suite 400
Atlanta, Georgia 30303
(404) 287-2090 – telephone
(678) 965-1790 –facsimile
troberts@tiffanywroberts.com

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

KIDANEMARIAM KASSA,)	
)	
Plaintiff,)	
)	
v.)	CIVIL RIGHTS COMPLAINT
)	42 U.S.C. § 1983
)	
FULTON COUNTY, GEORGIA,)	CIVIL ACTION NO.
PAUL H. HOWARD, officially &)	1:17-CV-02068-AT
individually, ANTIONETTE)	
STEPHENSON, individually,)	
PIERRE EASLEY, individually, and)	
JOHN DOE, officially & individually,)	
)	
Defendants.)	
_____)	

CERTIFICATE OF SERVICE

THIS CERTIFIES that on March 20, 2019, I presented this document in Times New Roman, 14 point type, and I electronically filed the foregoing **JOINT MOTION TO EXTEND RULE 26 DEADLINES** with the Clerk of Court using the CM/ECF system, which will provide e-mail notification to the following attorney of record:

Tiffany Williams Roberts
Tiffany W. Roberts, Attorney at Law
Suite 400
235 Peachtree Street
Atlanta, Georgia 30303

This 20th day of March, 2019.

/s/ Ashley J. Palmer

Ashley J. Palmer
Senior Assistant County Attorney
Georgia State Bar No. 603514

OFFICE OF THE FULTON COUNTY ATTORNEY

141 Pryor Street, S.W.

Suite 4038

Atlanta, Georgia 30303

(404) 612-0246 (office)

(404) 730-6324 (facsimile)